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Case: SU-7073-D
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ROBERT M. MOORE, JR., ET AL.

SERIAL NO.: 09/451,319

FILED: NOVEMBER 30, 1999

FOR: PREPARATION OF CONCENTRATED
AQUEOUS BROMINE SOLUTIONS
AND BIOCIDAL APPLICATIONS
THEREOF

GROUP ART UNIT: 1616

EXAMINER: ALTON PRYOR

Assistant Commissioner for Patents
Washington, D.C. 20231

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RESPONSE TO OFFICE ACTION

Sir:

Applicants express their sincere appreciation for the interview held on July 26, 2002 between Primary Examiner Alton Pryor and their attorney, Rudolf E. Hutz. During the interview, the outstanding rejections of claims 61-65, the only pending claims in this application, were discussed as was applicants' request for a declaration of interference with U.S. Patent No. 6,156,229 to Nalco (the '229 or Nalco patent).

The arguments made at the interview are summarized below, and applicants respectfully request that an interference be declared promptly so that the issue of priority as between applicants and the '229 patent can be resolved. Applicants have the earliest effective filing date and thus prima facie are entitled to priority as compared with the '229 (Nalco) patent. Applicants submit that neither public nor patent policy is served by refusing to declare an interference where both applicants and the '229 patent are claiming clearly overlapping subject matter and the '229 patent claims at issue were rejected, but then